UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,627	11/07/2001	Dominique Rozenberg	ROZENBERG=1	8847

1444 7590 04/12/2005

BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303

EXAMINER	
HANNE, SARA M	
ART UNIT	**PAPER NUMBER**
2179	

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/889,627	ROZENBERG ET AL.	
	Examiner	Art Unit	
	Sara M Hanne	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 December 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed 12/1/04. Claims 1-20 are pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tarpey, European Patent Application 0 701 202 A1, and further in view of Main et al., US Patent 6674724, hereinafter Main.

As in Claim 1, Tarpey teaches a method wherein the complex system for providing a component interface for each of the components, the component interface including a command description of each of the corresponding commands, including a description of each parameter for each command (Step e, Page 2, lines 29-30), parsing the command description from the component interface to form a description of a command interface for each command for display to the user (Figure 2, Step 21 and corresponding text on), building the command interface for each command (Figure 2, Steps 25-30 and corresponding text on Page 6) and creating the interface software program for displaying the command interface for each command to the user (Step f, Page 2, lines 29-30). While Tarpey teaches a complex system to provide a component

interface generated by parsed command descriptions, they fail to explicitly show equipment for a telecommunication network as recited in the claims. In the same field of the invention, Main teaches a complex system with component interfaces similar to that of Tarpey. In addition, Main further teaches a command interface for equipment in a telecommunications network (Col. 2, lines 14-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Tarpey and Main before him at the time the invention was made, to modify the complex system to provide a component interface generated by parsed command descriptions taught by Tarpey to include the telecommunications equipment of Main, in order to obtain a interface generated by parsed command descriptions of telecommunications equipment. One would have been motivated to make such a combination because a dynamically generated control or setup configuration for ever-changing networking elements would have been obtained, as taught by Main.

As in Claim 2, Tarpey teaches, for a component, the steps of providing a command description of each command supported by any component (Page 3, lines 21-26) and providing a relationship between each command and component (Page 2, lines 36-39).

As in Claim 3, Tarpey teaches the interface software program is generated for a complex system for interacting with network elements ("The computer may also be connected to other devices, such as printers", Page 2, lines 52-53), each network element corresponding to a component of the complex system. (Page 2, lines 20-55).

As in Claim 4, Tarpey in combination with Main further teaches a complex system as a digital cross connect (Main Figure 1 and corresponding text).

As in Claim 5, Tarpey teaches providing a default value for each parameter (Page 4, lines 4 et seq.) and providing for each parameter. a plurality of permissible values (Page 3, lines 45-46).

As in Claim 6, Tarpey teaches the permissible values includes a minimum value and a maximum value for numeric parameters (Page 3, lines 45-46), and a list of names for character string parameters (Page 3, lines 21 et seq.).

As in Claim 7, Tarpey teaches determining the default value and the plurality of permissible values for each parameter for each of the plurality of components (See Claim 5 rejection *supra,* when the interface is run).

As in Claim 8, Tarpey teaches providing a list of excluded values for each parameter of each command (values outside of specified max and min or not fitting set criteria).

As in Claim 9, Tarpey teaches the interface software program is generated for a complex system for interacting with a plurality of network elements, each network element corresponding to a component of the complex system (Page 2, lines 12-15 and Fig. 1) and wherein step further comprises the step providing a list of a parameter corresponding to a network element (Page 3, line 39 et seq.).

As in Claim 10, Tarpey teaches determining an operation for performing with each of the components and determining a relationship between the operation and each of the commands (Page 2, lines 21 et seq.).

As in Claim 11, It appears that the "determining a security clearance of the user required before a command is accessed by the user" is inherently included in Tarpey teaching of "remote login", (Page 2, lines 12-14) because the user must login thereby passing the clearance before accessing any of the commands. Even if it is not, the limitation "determining a security clearance of the user required before a command is accessed by the user" is well known. One of ordinary skill in the art would have been to motivated to make such a combination because an exclusive, authorized editing system would have been obtained.

As in Claim 12, Tarpey teaches the step of determining a help file, including information for assisting the user, for each command (Page 3, lines 18-20).

As in Claim 13, Tarpey teaches the interface software program is generated for a complex system for interacting with network elements, each network element corresponding to a component of the complex system (See Claim 3 rejection *supra*) and wherein the help file is provided for each combination of a network element and a command for operation with the network element (Page 3, lines 18-26).

As in Claim 14, Tarpey teaches the step of determining a template for the interface (Figure 2, Steps 25-27).

As in Claim 15, Tarpey teaches the template featuring GUI elements (standard window with Run button).

As in Claim 16, Tarpey teaches the template comprises a number of fields (field, and number) and features a name for each field corresponding to each parameter (page 3, lines 43-47).

As in Claim 17, Tarpey teaches a name for each command (page 3, lines 19-26), the name being altered according to a selection by the user (user may edit definition file).

As in Claim 18, Tarpey teaches building the command interface to be performed by a GUI builder software program (Page 2, line 54 – Page 3, line 5).

As in Claim 19, Tarpey teaches the steps of providing a generic interface operation software program (Page 2, lines 36-39), generating a header file for each command, constructing the interface software program from the header file and the generic interface operation software program (Figure 2, Step 22 and corresponding text).

As in Claim 20, Tarpey teaches the method of Claim 1 performed with respect to a number of components, having computer interfaces readily available and suitable to one another (Page 2, lines 7 et seq.), for remaining components, differing from the number of components from the point of interfaces (each element has different interfaces) further comprising completing the interface software program to serve the remaining components by determining the command description for each command supported by any of the remaining components (See Claim 1 rejection *supra*), and by determining the relationship between each of the commands and each of the remaining components (See Claim 2 rejection *supra*).

Response to Arguments

The amendments to the claims overcome the drawing and 112 claim objections cited in the previous action.

In response to the argument that Tarpey fails to teach all of the cited claim material of claim 1, the examiner disagrees. The example given in Tarpey on page 2, lines 12-15 explains the advantage of the invention for when a user wishes to remotely login to a particular machine and further goes on to say that the invention will help the user easily remotely login to 5 machines (a plurality of components). However the term telecommunications is not explicitly stated in the Tarpey reference, therefore the Claims are now rejected under USC 103 by Tarpey in further view of main as cited *supra.*
In response to the arguments that Tarpey fails to teach the claimed subject matter of claims 8-10, the examiner notes the cited rejections of these claims *supra.*

As per Claim 10 specifically, In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "for each operation allowed with any component of the system" and "'non-corresponding' command") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to the argument that the cited claim material of claim 11 is not taught by Tarpey because it is more specific and flexible since it is performed at a command level, however, the way the claim is currently presented, login at any time before

accessing of the command by the user reads on the claims as presently worded. Logon is also disclosed by Main's reference.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar GUI builder programs with network elements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (571) 272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh